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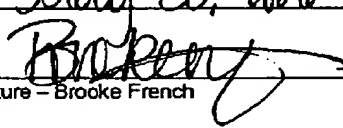

14047950814 From: Brooke French

MAY 30 2006

PTO/SB/31 (09/-04)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket No. (Optional):</b> A-4251 (191930-1050)									
I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office, facsimile number (571) 273-8300, on <u>May 30, 2006</u>  Signature - Brooke French		In re Application of Smith, et al <table border="1"> <tr> <td>Application Number</td> <td>Filed</td> </tr> <tr> <td>08/990,973</td> <td>December 15, 1997</td> </tr> </table> For Interactive Subscription Television Terminal <table border="1"> <tr> <td>Group Art Unit</td> <td>Examiner</td> </tr> <tr> <td>2614</td> <td>Salce, Jason P.</td> </tr> </table>		Application Number	Filed	08/990,973	December 15, 1997	Group Art Unit	Examiner	2614	Salce, Jason P.
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08/990,973	December 15, 1997										
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Applicant hereby <b>appeals</b> to the Board of Patent Appeals and interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 1.17(b)) <span style="float: right;">\$ 500.00</span> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is \$ reduced by half, and the resulting fee is: <input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-0778. I have enclosed a duplicate copy of this sheet. <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. <b>Warning: Information on this form may become public. Credit card information should not be          included on this form. Provide credit card information and authorization on PTO-2038.</b> I am the <span style="float: right;">05/31/2006 TL0111 00000025 08990973</span> <input type="checkbox"/> applicant/inventor. <span style="float: right;">01 FC:1401 500.00 OP</span> <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) <input type="checkbox"/> Is enclosed. (Form PTO/SB/96) <input type="checkbox"/> attorney or agent of record. <input checked="" type="checkbox"/> Attorney or agent acting under 37 CFR 1.34(a). Registration No. if acting under 37 CFR 1.34(a) 58,169 <div style="text-align: right;">           Benjamin A. Balser  <u>5/30/06</u>          Date       </div>											
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.											
<input checked="" type="checkbox"/> *Total of 1 forms are submitted.											

This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450.